

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 12, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building



Re: Waiver of Town Code Section 42-199, For Extended Working Hours at 225 Worth Avenue

Date: October 3, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council consider a request for an extension of work hours for the renovation of 225 Worth Avenue, the new location for Gucci. If approved, staff recommends that it be conditioned upon the letter (attached) from Rose Eustor, dated September 30, 2022, along with the attached revised construction schedule.

Staff has notified the applicant that granting of extended working hours is the sole discretion of the Town Council.

GENERAL INFORMATION

The applicant is renovating the retail space at 225 Worth Avenue. This store received approval from the Town Council in August to continue interior work through January 15, 2023. This new request asks for an additional three weeks of exterior work (storefront, barricades and awnings) beyond the normal October 31 cutoff date. They will still need until January 15, 2023 to complete the interior work. The letter from Gucci explains that their project must be extended due to permitting delays and Hurricane Ian.

Ordinance 03-2018, passed by the Town Council on second reading on February 13, 2018, modified the construction working hours in the Town as follows:

Sec. 42-199. - Hours for construction work.

- (b) *Limited. Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March, and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday, and legal holidays, when all construction work is prohibited. In no event shall heavy equipment or other construction-related noise be permitted before 9:00 a.m. At all other times such work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and legal holidays,*

including the Friday immediately after Thanksgiving, when all construction work is restricted or prohibited. Construction work is permissible on Saturdays from May through the Monday preceding Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature during which all of the noise and machinery prohibitions identified in section 42-198 are applicable; material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restriction due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending on October 31, except Sundays and legal holidays, when all construction work is prohibited.

(c) *Exceptions.*

- (5) *The town council, in its discretion, for the benefit of the health, safety and welfare of the residents of the town may, by resolution, temporarily amend the hours for construction work referenced herein.*

The applicant notified the surrounding property owners of the request and of the date of this meeting, as required.

Attachments – Letter from Rose Eustor, Gucci America, dated September 30, 2022
Gucci Construction Schedule

GUCCI

September 30, 2022

To: Wayne Bergman, MCP, LEED® AP

Director
Town of Palm Beach
Planning, Zoning, Building
360 S. County Road
Palm Beach, FL 33480
Office: 561-227-6426

Re: Request for a Waiver to Section 42-199 (Hours of Construction Work – Commercial Worth Avenue CWA zone) - Gucci 225 Worth Ave Project Permit # B-22-94272

Dear Sir,

We would like to request for a waiver to Section 42-199 of the Town of Palm Beach Code of Ordinances, relating to the construction working hours beyond October 31 – May 1st of every calendar year.

Due to barricade permit processing delays at public works, we had to delay shipment of our new storefront by 2 weeks, and we are now anticipating shipping disruptions due to hurricane Ian. We would like to request for an extension to the working hours from October 31, 2022 - November 21, 2022; to allow us to complete the exterior storefront aluminum frame and glazing installation at the exterior of the store, dismantle our construction barricade, and install our new fabric awnings which can only be done after the barricades are removed.

Since this work is limited to just glass and frame replacement, none of the work being done will require heavy construction or noisy machinery. Our storefront install crew will be using typical cutting and drilling hand tools and shall be done behind our barricade from 8AM – 8PM

During this time, we are also expecting multiple shipments of our furniture and finishes to arrive, and our general contractor has made applications to public works for right of way permits to allow for such deliveries.

This request is in addition to the previous approved (ZON-22-126) waiver for interior construction work, effective from October 31, 2022, to January 15, 2023.

We have attached herewith our latest project schedule showing the storefront and awning installation scope and hope that this request may be considered.

Rose Eustor

Rose Eustor
Vice President
Store Planning and Facilities
Gucci America

